

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SARA THERESA PEDRO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:17-cv-00985
	)	
DUKE UNIVERSITY and	)	
DUKE UNIVERSITY HEALTH	)	
SYSTEM, INC.,	)	
	)	
Defendants.	)	
_____	)	

**STIPULATION**

Plaintiff Sara Theresa Pedro and defendants Duke University and Duke University Health System, Inc., by and through their undersigned counsel, hereby enter into the following stipulation in this matter:

1. Plaintiff and Defendants recognize and agree that arbitration of the claims raised in Plaintiff's complaint will provide an efficient and effective means of resolving the action currently pending before this Court.
2. Plaintiff and Defendants agree that this case may proceed directly to arbitration through the American Arbitration Association.
3. Plaintiff and Defendants agree that the arbitration hearing will be guided by the Employment Arbitration Rules and Mediation Procedures (formerly known as the National Rules for the

Resolution of Employment Disputes), as developed by the American Arbitration Association.

4. Plaintiff and Defendants agree that Plaintiff shall have the right to select the arbitrator from the current AAA arbitrator roster who will adjudicate the issues presented in arbitration, subject to Defendants' right to disqualify Plaintiff's selected arbitrator on the grounds that the arbitrator has a conflict of interest and thereby require Plaintiff to make an alternative selection of arbitrator.
5. Plaintiff and Defendants agree that Defendants shall bear the costs of the arbitration initiation and administration, including the arbitrator's fees and expenses. Postponement fees and expenses will be paid by the party causing postponement of the hearing.
6. Plaintiff and Defendants agree that the arbitrator may grant any remedy or relief that would have been available to the parties had the matter been heard in this Court including attorney's fees and costs in accordance with applicable law.
7. Plaintiff and Defendants agree that, upon filing of this stipulation, the Court may enter an order requiring arbitration of this matter and may accordingly stay further action in this Court pursuant to 9 U.S.C. § 3. Plaintiff and Defendants agree that the decision

rendered at the conclusion of said arbitration shall resolve, and be conclusive of, all causes of action Plaintiff has asserted or might have asserted in this case.

8. Plaintiff and Defendants further agree that, upon filing of this stipulation, Plaintiff's pending motion for discovery on the issue of arbitration (D.E. #21) may be terminated as moot.

Respectfully submitted, this the 16th day of March, 2018.

**WE HEREBY AGREE AND STIPULATE TO THE ABOVE:**

FOR PLAINTIFF:

/s/B. Tyler Brooks

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*Counsel for Plaintiff*

FOR DEFENDANTS:

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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically on March 16, 2018. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, including the counsel of record for defendants indicated below. Parties may access this filing through the Court's system.

/s/B. Tyler Brooks  
B. Tyler Brooks

#### SERVED:

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